

the claims were solely for the purpose of correcting grammar and typographical errors. It is not seen that that a correction of these grammar and typographical errors necessitated a new prior art rejection and applying a new primary reference. For example, the sole amendment to claim 1 was to correct the typographical error "sheet" to "skirt". How could this claim amendment possibly cause a withdrawal of the former prior art rejection over two references and necessitate the assertion of a new rejection using a combination of three references including a new primary reference? A review of the amendments to the other claims also clearly shows that these amendments were made for the purpose of clarification. How does changing "wherein" to "which" necessitate a new ground of rejection? It is submitted that the finality of the instant rejection is improper and should be withdrawn so that the applicants have the opportunity to respond to the rejection in the absence of the limitation of their rights with a final rejection.

The examiner has rejected claims 1-28 under 35 U.S.C. 103 over McCreary (U.S. 3,532,179) in view of Holland, et al (U.S. 6,280,546) and further in view of Berczi (U.S. 3,661,692). It is respectfully asserted that this ground of rejection is not well taken.

The present invention claims:

1. An abrasion-resistant skirt material for use with air cushion vehicles having at least one air chamber, said skirt material comprising:
 - (a) a fabric base, comprising yarns of an ultra-high molecular weight polyethylene;
 - (b) a bonding layer, comprising a thermoplastic material bonded to the fabric base; and
 - (c) an outer layer, comprising a rubber compound bonded to the bonding layer.

The primary reference to McCreary apparently shows a skirt material for use with air cushion vehicles, however, it does not employ a structure similar to that claimed. The

examiner has pointed to columns 7-8 of McCreary, however, curtain element 54 is clearly described to be a flexible plastic film such as a polyethylene film, or Mylar, or thin rubber, optionally having nylon or other strong reinforcing strands. Nowhere does McCreary teach or suggest the use of a yarn, of any nature. He certainly does not suggest a multilayered structure of any kind. He certainly does not suggest a multilayered structure as defined in the claims which require at least elements (a), (b) and (c) as stated above.

The secondary reference to Holland, et al is inapplicable both to the present invention as well as the McCreary invention at least because Holland, et al do not pertain to structures having a rubber containing layer. Holland, et al solely pertains to laminating a thermoplastic film to a fabric. Nowhere do they discuss a layer comprising a rubber compound. In fact a word search of the Holland, et al reference fails to even locate the word rubber or elastomer. Furthermore, Holland, et al make no mention of a potential use of their material for a hovercraft skirt. There is simply no nexus between Holland, et al and McCreary, et al. McCreary, et al do not pertain to a multilayered material of any kind and Holland, et al neither teach a rubber compound, nor potential use of their material in a hovercraft skirt. It is submitted that the examiner is attempting to impermissibly reconstruct the art in light of applicant's disclosure, and even if such is hypothetically done, the invention is still not found.

The tertiary reference to Berczi shows an apparently similar layering for hovercraft skirts, however, they do not teach an ultra-high molecular weight polyethylene as required by the present claims. The closest Berczi embodiment employs polypropylene which forms low molecular weight yarns. These would not have the puncture resistance of ultra-high molecular weight polyethylene. Most importantly, the present claims require a bonding layer comprising a **thermoplastic** material. Berczi does not teach a thermoplastic layer adhesive adjacent to his woven fabric layer. Rather, all of the materials mentioned by Berczi are **thermosets**. In this regard, please see column 3, lines 1, et seq. where Berczi's

adhesive resins are all thermosetting rather than thermoplastic. Even when combined with optional rubbers, the overall composition is still thermosetting. Such thermosetting resins would not be useful for the present invention because their high thermosetting temperatures are well above the melting point of the ultra-high molecular weight polyethylene of the present claims. Heating at Berczi's temperatures would tend to destroy the integrity of Applicant's structure. Please note that the Berczi structure is formed by coating his fabric with his thermosetting adhesive, applying his uncured elastomer layer, and then vulcanizing the structure (see col. 2, lines 1-7) and (col. 3, lines 29-35). The Berczi layering components are therefore incompatible with those of this invention. The examiner's attempt to combine the Holland, et al materials into the Berczi and McCreary references is clearly an impermissible reconstruction of the art in light of the Applicant's disclosure.

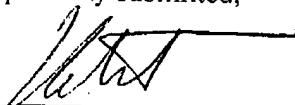
In summary, there can be no suggestion from any combination of McCreary, Berczi or Holland, et al, that Applicant's thermoplastic bonding layer would be bondable to a rubber containing layer. Berczi adheres a thermosetting layer to an uncured rubber layer and then vulcanizes/sets with heat. Holland, et al does not mention a rubber containing layer at all.

It is further argued that in view of the withdrawal of the former rejection, the examiner has already determined that a combination of Berczi and Holland, et al do not suggest the present invention. The addition of the McCreary reference adds nothing to the substance of Berczi and Holland, et al.

It is urged that one skilled in the art would not be imbued with an inspiration to form the claimed structure and the materials with the claimed structural layers upon a reading of the McCreary, Berczi and Holland, et al references. For these reasons it is submitted that the rejection of claims 1-28 under 35 U.S.C. 103 over McCreary in view of Berczi and further in view of Holland, et al should be withdrawn.

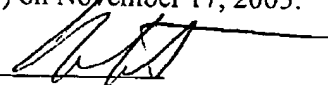
The undersigned respectfully requests re-examination of this application and believes it is now in condition for allowance. Such action is requested. If the examiner believes there is any matter which prevents allowance of the present application, it is requested that the undersigned be contacted to arrange for an interview which may expedite prosecution.

Respectfully submitted,



Richard S. Roberts
Reg. No. 27,941
P.O. Box 484
Princeton, New Jersey 08542
(609) 921-3500
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I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office (FAX No. 273-8300) on November 17, 2005.



Richard S. Roberts
Reg. No. 27,941